

favorable consideration for the appointment of Judge Richard Paez to serve on the Ninth Circuit Court of Appeals. Based on a review of his past judicial experience and integrity, I believe that Judge Paez has both the capacity and desire to continue to do an outstanding job.

Your consideration in this matter is greatly appreciated.

Sincerely,

PETE BRODIE,  
President, ALADS.

DEPARTMENT OF  
CALIFORNIA HIGHWAY PATROL,  
Sacramento, CA, April 15, 1998.

Hon. ORRIN G. HATCH,

Chairman, Committee on the Judiciary, U.S. Senate, Washington, DC.

DEAR SENATOR HATCH: I understand that President Clinton has nominated Judge Richard A. Paez to serve on the United States Court of Appeals for the Ninth District.

Judge Paez' long and distinguished judicial career began with his appointment to the Los Angeles Municipal Court in 1981. He served as Presiding and Supervising Judge in that court and as a judge in the Los Angeles Superior Court and California Court of Appeal. In 1994, President Clinton nominated him to the United States Central District Court where he has served with distinction.

Judge Paez' education, experience and desire to serve make him extremely well-qualified to serve on the Ninth Circuit Court of Appeals. His character and integrity are impeccable. I recommend that his appointment receive favorable consideration.

Sincerely,

D.O. HELMICK,  
Commissioner.

#### TRIBUTE TO LIEUTENANT GENERAL DAVE MCCLOUD

• Mr. KEMPTHORNE. Mr. President, I rise today to offer a tribute to Air Force Lieutenant General Dave J. McCloud who died in a tragic plane crash on July 26, 1998 in Alaska. Dave McCloud was an outstanding officer, husband and father. The nation and the Air Force lost one of its finest military leaders when Dave McCloud passed away. General McCloud was an energetic, sincere and honest man who I considered a true friend. Like many others, I mourn Dave's passing every day.

I know Dave's wife Anna misses her partner and I know his son and daughter, Robyn, miss their father. I offer my deepest condolences to all of Dave's family and friends.

As a final tribute to fighter pilot Dave McCloud, I offer the following poem, "High Flight," which epitomizes my friend in so many ways.

#### HIGH FLIGHT

(By John Gillispie Magee, Jr.)

Oh, I have slipped the surly bonds of earth  
And danced the skies on laughter-silvered wings;  
Sunward I've climbed, and joined the tumbling mirth  
Of sun-split clouds—and done a hundred things  
You have not dreamed of—wheeled and soared and swung  
High in the sunlit silence, Hov'ring there,  
I've chased the shouting wind along, and flung

My eager craft through footless halls of air.  
Up, up the long, delirious, burning blue  
I've topped the windswept heights with easy grace

Where never lark, or even eagle flew  
And, while with silent, lifting mind I've trod  
The high untrespassed sanctity of space,  
Put out my hand, and touched the face of God.

By Pilot Officer John Gillispie Magee, Jr.  
No 412 Squadron, RCAF (1922-1941)

"High Flight", a poem by John Gillispie Magee, Jr. An American/British fighter pilot. He flew with the Royal Canadian Air Force in World War II. He came to Britain, flew in a Spitfire squadron, and was killed at age 19 on December 11, 1941, during a training flight from the airfield near Scopwick, Lincolnshire. The poem was written on the back of a letter to his parents which stated, "I am enclosing a verse I wrote the other day. It started at 30,000 feet, and was finished soon after I landed." •

#### HAITIAN REFUGEE IMMIGRATION FAIRNESS ACT

• Mr. GRAHAM. Mr. President, because of a tremendous bipartisan effort, and the support of many of our nation's local community leaders, a step toward justice and fairness for Haitian refugees will be taken by this Congress.

The effort began on November 11, 1997, and will culminate in the passage of this omnibus budget bill.

My colleagues, both in the Senate and the House deserve many thanks: Senator CONNIE MACK, Senator KENNEDY, Senator ABRAHAM, Representatives MEEK, CONYERS, DIAZ-BALART and ROS-LEHTINEN. The support of the White House was instrumental in reaching the final agreement to include this legislation in the omnibus appropriations bill. In both chambers, with both parties, the Haitian Refugee Immigration Fairness Act gained the support needed for passage.

In so many instances, this legislation meant life or death for the refugees who came here seeking safety from persecution. In the field hearing, held in Miami last December, Amnesty International stated unequivocally that the safety of refugees who were deported to Haiti could not be guaranteed.

I was so appreciative, not only of the bipartisan support that this legislation received, but of support that crossed national lines as well. From the beginning, the Hispanic community: Fraternidad Nicauguense, the Bloque de Apoyo a la Unidad Nicaraguense, Unidad Hondurena, the Cuban-American community, and others have joined together to help their Haitian brethren achieve immigration fairness.

The measure of this legislation's impact can best be seen through the eyes of those individuals who were most impacted by the previous state of affairs. I had the opportunity, the pleasure, to meet many of them at our hearing in Miami. Every audience member was

moved by their testimony, by the personal accounts of their experiences in Haiti, and the brutality that they fled.

I had the opportunity to meet others in this category on my trips to Haiti, and my visits to Guantanamo Bay, Cuba. Even in these harsh conditions, the spirit and determination of these brave individuals was remarkable, struggling to liberate themselves and their families from persecution and brutality. They are following in the tradition of fighters for freedom and justice worldwide.

Our nation has, since its foundation, served as a refuge of those seeking justice and safety. The evolution of our country's current refugee policy is in many ways to ensure that we avoid situations, such as the one that developed, close to my home state, in the time leading up to World War II. The vessel *St. Louis* moored within sight of the city of Miami for several days, filled with passengers of the Jewish faith, fleeing the violence in Europe. Our country refused them safety. The passengers returned to Europe, many of them to their certain death.

Since then, beginning with specific refugee legislation in the decades after the war and developing into the Refugee Act of 1980, the United States of America has offered freedom and sanctuary to those fleeing persecution, brutality, and human rights abuses.

The bipartisan effort that led to the passage of the Haitian Immigration Fairness Act ensures that we maintain this valued tradition in the United States. We will treat Haitian national refugees in the same manner as we have treated similarly situated individuals over the last decades.

In relation to one aspect of the legislation, I wanted to clarify the intent of the section dealing with stays of deportation. The intent of this legislation is that the INS would not seek to remove a qualified spouse or the child of a qualified alien who has applied for relief under this legislation, and received a stay of deportation or removal.

Again, many of my colleagues in the Senate and the House deserve thanks for their tremendous support on this effort. It will make a difference in the lives of many individuals who are a part of our vibrant South Florida community. They will no longer be in immigration limbo, and can continue to build their part of the American dream. •

#### SERBIAN CRACKDOWN ON INDEPENDENT MEDIA

• Mr. D'AMATO. Mr. President, I rise today to call to my colleagues' attention an ominous and entirely predictable development—Slobodan Milosevic is closing the independent media in Serbia. He is following the time-worn practice of dictators by trying to control Serbians' thinking—and therefore their politics—by controlling their access to information.

The Senate and House have declared that we have reason to believe that